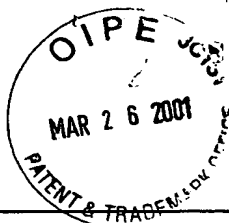


#3



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**DECLARATION AND POWER OF  
ATTORNEY**

ATT. DOCKET NO.

**2326/29**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,  
I believe I am the original, first, and sole inventor of the subject matter that is claimed and  
for which a patent is sought on the invention entitled **ARTIFICIAL AIRWAY DEVICE AND  
METHOD OF ITS USE**, the specification of which was filed as US Series Number 09/589,499,  
filed on June 7, 2000.

I hereby state that I have reviewed and understand the contents of the above identified  
specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of  
this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

**PRIOR UNITED STATES AND P.C.T. APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States  
application(s), or §365(c) of any PCT International application designating the United States,  
listed below and, insofar as the subject matter of each of the claims of this application is not  
disclosed in the prior United States or PCT International application in the manner provided by  
the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose  
information which is material to patentability as defined in Title 37, Code of Federal Regulations,  
§ 1.56 which became available between the filing date of the prior application and the national or  
PCT international filing date of this application

APPLICATION NUMBER

FILING DATE

STATUS

(Day, month, year)

(i.e. Patented, Pending, Abandoned)

**09/291,715**

**14 April 1999**

**Pending**

**09/589,499**

**7 June 2000**

**Pending**

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys:

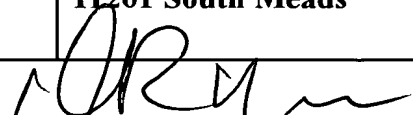
**MAYER, Richard L.** (Reg. No. 22,490)

**LOUGHNANE, Michael D.** (Reg. No. 30,720)

**SEND CORRESPONDENCE, AND DIRECT TELEPHONE CALLS TO:**

**KENYON & KENYON**  
**One Broadway**  
**New York, New York 10004**  
**(212) 425-7200 (phone)**  
**(212) 425-5288 (facsimile)**

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

<b>FULL NAME OF INVENTOR</b>	<b>FAMILY NAME</b>	<b>FIRST GIVEN NAME</b>	<b>SECOND GIVEN NAME</b>
	<b>MONGEON</b>	<b>Douglas</b>	<b>R.</b>
<b>RESIDENCE &amp; CITIZENSHIP</b>	<b>CITY</b>	<b>STATE OR FOREIGN COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
	<b>Orange Park Acres</b>	<b>California</b>	<b>United States of America</b>
<b>POST OFFICE ADDRESS</b>	<b>POST OFFICE ADDRESS</b>	<b>CITY</b>	<b>STATE &amp; ZIP CODE/COUNTRY</b>
	<b>11201 South Meads</b>	<b>Orange Park Acres</b>	<b>CA 92869</b>
<b>Signature</b> 		<b>Date</b> 03-20-01	